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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,912	09/18/2003	Larry D. Kinsman	108298734US	7053
25096	7590	12/15/2004	EXAMINER	
PERKINS COIE LLP			BEN, LOHA	
PATENT-SEA			ART UNIT	
P.O. BOX 1247			2873	
SEATTLE, WA 98111-1247			PAPER NUMBER	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/665,912	Applicant(s) KINSMAN, LARRY D.	
	Examiner LOHA BEN	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 10-12, 14-17, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 5-9, 13, 18 and 21-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.



Loha Ben
Primary Examiner

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0304</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5-9, 13, 18 and 21-45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 5, 6 and 8: lines 1 and 2, the phrase "the radiation responsive dies include an active area" gives no clear indication as to whether or not each die has an active area. For this matter, it is suggested as follows: on line 1 of claims 5, 6 and 8, after "wherein", -- each of -- should be inserted, and "include" should be replaced with -- includes --.

Similar changes should be made in claims 7 and 9, line 2. Particularly in claim 7, line 5, "the active area" should be replaced with -- corresponding active areas --.

In claim 13: lines 9 and 10, "the wire-bonds" has no antecedent basis in that the recitation on line 5 of the claim does not guarantee that each die has multiple wire-bonds.

Similar rejection as in claim 13 is also intended for claim 18.

In claim 21: the recitation on line 4 does not give a clear indication as to whether or not each die has an active area.

In claims 22 and 28: line 2, "the wire-bonds" has no antecedent basis, since the wire-bonds have not been positively recited.

Art Unit: ***

In claim 27: lines 3-5 fails to precisely point out that each die has first and second sides; and lines 6 and 7, no reflective connection is seen between the **dies** and the second **sides**. Suggestion: line 3, after "die," -- each of -- should be inserted; and line 7, "side" should be -- sides --.

Claim 33 has similar problem as in claim 21. Suggestion: on line 3, after ",", -- each of -- should be inserted to reflect the recitation on last line of the claim.

In claim 40: lines 4-6 fail to accurately provide clear picture that each die has an active area. Suggestion: line 4 of the claim, after ",", -- each of -- should be inserted.

The remaining claims depending from rejected base claims inherit the indefiniteness thereof.

Allowable Subject Matter

Claims 1-4, 10-12, 14-17, 19 and 20 are allowable.

Claims 21, 27, 33 and 40 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 5-9, 13, 18, 22-26, 28-32, 34-39 and 41-45 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loha Ben whose telephone number is (571) 272-2323.

Art Unit: ***

The examiner can normally be reached on Monday to Saturday, generally between 12:00 noon and 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Eppd, can be reached on Monday to Friday, at (571) 272-2328.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 11, 2004



Loha Ben
Primary Examiner